

The applicant appreciates the allowance of claims 16, 17, 19, 27, 28 and 31-43, and the indicated allowability of claim 30 if lines 5-6 were deleted. Claim 30 has been amended as requested, so it is believed that claim 30 now is allowable as well.

Claims 26 and 47 have been amended to overcome the objections noted by the examiner.

Claims 10, 12-15, 18, 21-26, 29 and 44-47 were rejected under 35 U.S.C. §102(e) as being anticipated by Pei, et al (US 6,257,533). This basis for rejection is respectfully traversed.

Independent claims 10 and 44 have been amended to recite the bell crank mounting member (claim 10) or first mounting ear (claim 44) extending in a lateral direction. Claim 12 has been amended to include a first mounting ear projecting in a lateral direction from one of the transition bracket portion and the rear frame mounting bracket portion for mounting a bell crank thereto. Claim 47 has been amended to clarify that the surface of the rear frame mounting bracket portion having the opening therein faces in a lateral direction.

The examiner states that Pei, et al's opening (42) faces laterally in that it faces sideways, and that Pei, et al's ears (36) project laterally in that they are situated on or come from the side. However, the specification has been amended to clarify that the terms "upward," "downward," "front" and "rear" are to be determined by reference to Fig. 1, with "front" meaning to the right in Fig. 1. Furthermore, the term "lateral" means in the up and down direction in Fig. 3. It is true that, during patent examination, the pending claims must be interpreted as broadly as their terms reasonably allow. However, when the applicant states the meaning that the claim terms are intended to have, the claims are examined with that meaning. In re Zletz 13 USPQ2d 1320 (Fed.Cir. 1989). Thus, as amended, claims 10, 12 and 44 require the bell crank mounting member (claim 10) or the mounting ear (claims 12 and 44) to extend in the left or right direction (when viewed from the top), not simply be disposed on a side. Likewise, the opening recited in claim 47 must face in the left or right direction, not just any side. Thus, Pei, et al do not disclose the claimed structure, and there is no reason to change any of the orientations of Pei, et al's structures.

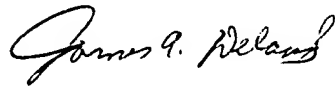
Accordingly, it is believed that the rejection under 35 USC §102 has been overcome by the foregoing amendment and remarks, and it is submitted that the claims are in condition for allowance.

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PATENT

Reconsideration of this application as amended is respectfully requested. Allowance of all claims is earnestly solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "James A. Deland".

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VERSION OF AMENDMENTS WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

The paragraph beginning at page 4, line 3 has been amended as follows:

Fig. 1 is a side view of a bicycle 10 that uses a motor drive unit 14 including a particular embodiment of a shift control device according to the present invention for a bicycle transmission 18. Bicycle 10 includes a frame 22, a fork 26 rotatably mounted to frame 22 for rotatably supporting a front wheel 30, a handlebar 34 mounted to fork 26, a brake lever 38 mounted to handlebar 34 for operating a front wheel caliper brake 42, a seat 46, pedal cranks 47 rotatably mounted to frame 22 for rotating a front chainwheel 48 connected to a chain 49, and a rear wheel 50 rotatably mounted to frame 22. In this embodiment, bicycle transmission 18 is an internal wheel hub transmission that has a planetary gear mechanism for changing the gear ratio by routing a rotational force applied by chain 49 through a plurality of transmission paths in a well-known manner. A signal providing unit such as a magnet 54 is mounted to one of the spokes 50A of wheel 50. The magnetic signal provided by magnet 54 is used by motor drive unit 14 to control the shifting of transmission according to the speed of the bicycle. Motor drive unit 14 is mounted to a chainstay 58 of bicycle frame 22 by a mounting bracket 62 and by a bell crank housing 64. Motor drive unit 14 controls transmission 18 by a bell crank assembly 68 (Fig. 4) described below. As used herein, the terms "upward," "downward," "front" and "rear" are to be determined by reference to Fig. 1, with "front" meaning to the right in Fig. 1. Furthermore, the term "lateral" means in the up and down direction in Fig. 3

IN THE CLAIMS

Claims 10, 12, 26, 30, 44 and 47 have been amended as follows:

10. (Three Times Amended) A bell crank mounting bracket for a bicycle hub transmission comprising:

- a motor mounting bracket portion;
- a transition bracket portion extending downwardly from the motor mounting bracket portion;
- a rear frame mounting bracket portion extending from the transition bracket portion;

wherein the transition bracket portion is inclined relative to one of the motor mounting bracket portion and the rear frame mounting bracket portion; and

a bell crank mounting member disposed on one of the transition bracket portion and the rear frame mounting bracket portion and extending [laterally therefrom] in a lateral direction.

12. (Three Times Amended) A bell crank mounting bracket for a bicycle hub transmission comprising:

a motor mounting bracket portion;

a transition bracket portion extending downwardly from the motor mounting bracket portion;

a rear frame mounting bracket portion extending from the transition bracket portion;

wherein the transition bracket portion is inclined relative to one of the motor mounting bracket portion and the rear frame mounting bracket portion;

a bell crank mounting member disposed on one of the transition bracket portion and the rear frame mounting bracket portion;

a front frame mounting bracket portion extending from the motor mounting bracket portion;

[and]

wherein the front frame mounting bracket portion extends downwardly from the motor mounting bracket portion; and

a first mounting ear projecting in a lateral direction from one of the transition bracket portion and the rear frame mounting bracket portion for mounting a bell crank thereto.

26. (Twice Amended) The bracket according to claim 25 wherein the motor mounting bracket portion has a surface facing upwardly, wherein the rear frame mounting bracket portion includes a surface having an opening therein for receiving an axle therethrough, and wherein the surface of the rear frame mounting bracket portion having the opening therein faces laterally.

30. (Twice Amended) A bell crank mounting bracket for a bicycle hub transmission comprising:

a motor mounting bracket portion;

a transition bracket portion extending from the motor mounting bracket portion;

a rear frame mounting bracket portion extending from the transition bracket portion;

[wherein the transition bracket portion is inclined relative to one of the motor mounting bracket portion and the rear frame mounting bracket portion;]

a bell crank mounting member disposed on one of the transition bracket portion and the rear frame mounting bracket portion;

a front frame mounting bracket portion extending from the motor mounting bracket portion;
wherein the front frame mounting bracket portion extends downwardly from the motor mounting bracket portion;

wherein the transition bracket portion is inclined relative to the motor mounting bracket portion, and further comprising:

a wire guide disposed on the transition bracket portion; and

wherein the motor mounting bracket portion, the front frame mounting bracket portion, the transition bracket portion, the wire guide and the rear frame mounting bracket portion are one-piece.

44. (Twice Amended) A bell crank mounting bracket for a bicycle hub transmission comprising:

a motor mounting bracket portion;

a transition bracket portion extending from the motor mounting bracket portion;

a rear frame mounting bracket portion extending from the transition bracket portion;

wherein the transition bracket portion is inclined relative to one of the motor mounting bracket portion and the rear frame mounting bracket portion; and

a first mounting ear projecting [laterally] in a lateral direction from one of the transition bracket portion and the rear frame mounting bracket portion for mounting a bell crank thereto.

47. (Twice Amended) A bell crank mounting bracket for a bicycle hub transmission comprising:

a motor mounting bracket portion having a surface facing upwardly;

a transition bracket portion extending from the motor mounting bracket portion;

a rear frame mounting bracket portion extending from the transition bracket portion;

wherein the rear frame mounting bracket portion includes a surface having an opening therein for receiving an axle therethrough, and wherein the surface of the rear frame mounting bracket portion having the opening therein faces [laterally] in a lateral direction;

wherein the transition bracket portion is inclined relative to one of the motor mounting bracket portion and the rear frame mounting bracket portion; and

a bell crank mounting member disposed on one of the transition bracket portion and the rear frame mounting bracket portion.